

SPECIAL MEETING CALL

I, William I. May, Jr., hereby call a Special Meeting of the Frankfort Board of Commissioners on Monday, October 30, 2006, at 5:30 p.m. in the Council Chambers of the Municipal Building. All items on the Agenda will be considered and action taken as necessary. This meeting will be in lieu of the Regular Meeting scheduled for October 23, 2006.

S/William I. May, Jr.
T/Mayor

Special Meeting
Frankfort Board of Commissioners

October 30, 2006
5:30 P.M. (EST)

PRESENT

Commissioner Kathy Carter
Commissioner Lynn Bowers
Commissioner Rodney Williams
Commissioner J. W. Bryan
Mayor William I. May, Jr. (5)

ABSENT

None (0)

The Invocation was given by William Hartung, Frankfort Police Department Chaplain. The Pledge of Allegiance was led by John Hammond.

It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the reading of the minutes of the September 25 2006 Regular Meeting; the October 2, 2006 Special Meeting; and the October 9, 2006 Work Session be approved as presented. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Mayor May commented on the Kentucky National Guard Homecoming Ceremony, and announced the upcoming return of the Aviation Unit.

Ceremonial Items

Fire Chief Wallace Possich and EMS Director Greg Moore presented Kim Watson with a Public Service Award. Ms. Watson is the FEWPB Safety Officer. Also in attendance from the Plant Board was board member Sheila Mason and Assistant Director Herbie Bannister.

Mayor May administered the Oath of Office to Jonathan Wells, to serve as a Chaplain of the Frankfort Police Department. Also attending were FPD Chaplains William Hartung and Daniel Wilson.

“AN ORDINANCE AMENDING ORDINANCE NO. 8, 1983 SERIES BY AMENDING THE CITY OF FRANKFORT ZONING ORDINANCE - ARTICLE 4, SECTION 4.01 TABLE OF PERMITTED USES AND SECTION 4.06 NOTED SPECIAL CONDITIONS OF THE CITY OF FRANKFORT’S ZONING ORDINANCE. SPECIFICALLY, THE REQUEST IS TO ADD THE USE OF SELF-STORAGE/MINI-WAREHOUSE AS A CONDITIONAL USE WITHIN THE CL, CG, AND CH DISTRICTS WHEN SPECIFIC CONDITIONS ARE SATISFIED” was presented and read. This Ordinance had its first reading on September 25, 2006. It was moved by Commissioner Carter, seconded by Commissioner Bryan, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 26, 2006 Series).

“AN ORDINANCE ACCEPTING SONOMA DRIVE, GOODMAN WAY, AND CHARLESTON COURT INTO THE CITY STREET SYSTEM” was presented and read. This Ordinance had its first reading on September 25, 2006. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 27, 2006 Series).

“AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES, CHAPTER 37, PERSONNEL; CITY EMPLOYEES, SECTION 37.34, AND POSITIONS FOR THE SEWER DEPARTMENT, SECTION 37.35, BIWEEKLY RATES” was presented and read.

“AN ORDINANCE REZONING PROPERTY FOR A 1.59-ACRE PARCEL OF PROPERTY LOCATED AT 113 OLD SOLDIERS LANE WITH THE PVA MAP # 049-40-06-028.00 FROM RESIDENTIAL “B” DISTRICT (RB) TO PROFESSIONAL OFFICE DISTRICT (PO)” was presented and read.

“AN ORDER RENAMING A PORTION OF COMMONWEALTH BOULEVARD TO COMMONWEALTH COURT” was presented. It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the Order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Order No. 9, 2006 Series).

Consent Agenda

At the request of Commissioner Bowers, who submitted a Vote Modification form, Items 6.6 and 6.7 were removed from the Consent Agenda to be considered separately. The following miscellaneous and personnel items were presented:

- 6.1 Authorized the purchase of three 2007 Ford E450 16-passenge Cut-Away Transit buses; equipped with wheelchair lifts, security cameras, and stainless steel bike racks; buses to be purchased through Rural Transit Enterprises Coordinator’s (RTEC) bid package awarded August 2006; Total cost of \$153,075, with Federal and State shares to be reimbursed through Section 5311 Capital Grant; City’s 10% match of \$15,307.50 available in Transportation Improvement Account No. 530.005.1100 (Public Works – Transit);
- 6.2 Authorized an application for litter abatement Funding through the Kentucky Natural Resources and Environmental Protection Cabinet; anticipated amount based on the City’s street miles expected to be similar to 2006 amount of \$7,292.50 (Public Works);
- 6.3 Authorized an extension of Quest Engineers, Inc. Engineering Services Agreement for continuing engineering services for a term of three years related to the Sanitary Sewer Evaluation and Sanitary Sewer Overflow Plan; contract renewal is for 3 year period with contract increase of \$50,000; funds are available in Account No. 450.68.56550 (Sewer Department);
- 6.4 Authorized bid award for a 2007 Ford F-557 4x4 Chassis Regular Cab DRW/165 Diesel for the Sewer Department Pump Mechanic crew to Jack Kain Ford Inc. of Versailles; cost will be \$35,939; funds available in Account No. 300.68.56550 (Sewer Department);
- 6.5 Authorized amendment to a Professional Services Agreement with David Banks, Architect & Associates, to update the 2005 St. Clair Parking Structure Report; amendment included developing pre-construction drawings and architectural services for the St. Clair Parking Structure, and include barrier wall recommendations; total cost of amended agreement not to exceed \$20,000; funds available in Account No. 100.61.53210 (Public Works)

It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Consent Agenda as presented be approved. All members being present, the motion to approve the consent agenda was adopted without objection.

It was moved by Commissioner Carter, seconded by Commissioner Bowers, to authorize a release of an unnecessary roadway easement for property known as Lot 47, Thistleton Subdivision. Citizen comments were heard from Diana Looney and Jim Looney. Following discussion, the question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Williams and Bryan, and Mayor May (4). Voting against the motion was Commissioner Bowers (1). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Carter that the following personnel actions be approved:

- Resignation of Timothy J. Conner effective 10-9-06, and authorize payment of all accrued time as of effective date (Police Department);
- Resignation of Robert Hewitt effective 10-6-06, and authorize payment of all accrued time as of effective date (Planning and Building Codes).

The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Old Business

There was discussion concerning the appropriateness of Old Business on the agenda as the meeting was considered a “special meeting.” Commissioner Bowers suggested that in future special meetings, categories not be listed if there is no business to be considered.

New Business

“AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES SECTION 36.198” was presented. It was moved by Commissioner Bowers, seconded by Commissioner Williams, that the Ordinance be tabled until the November meeting for first reading. Following discussion, the question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Carter, Bowers and Williams, and Mayor May (4). Voting against the motion was Commissioner Bryan (1). The motion was thereupon adopted.

“RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A MUNICIPAL ROAD AID DISCRETIONARY BOND FUND AGREEMENT BETWEEN THE CITY OF FRANKFORT AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF INTERGOVERNMENTAL PROGRAMS AND ACCEPTING ALL STREETS REFERRED TO THEREIN AS BEING STREETS WHICH ARE A PART OF THE CITY OF FRANKFORT, AND AUTHORIZING THE MAYOR TO SIGN ALL RELATED DOCUMENTS” was presented. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 19, 2006 Series).

Following discussion, it was moved by Commissioner Williams, seconded by Commissioner Carter, to authorize the expenditure of funds to purchase 2.882 acres (125,521 sq. ft.) of land owned by the Commonwealth of Kentucky located at the East Frankfort Fire Station. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Carter, seconded by Commissioner Williams, to authorize a contract award to Statiflo Corporation for static mixing equipment for the Ozone system at the Wastewater Treatment Plant. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Williams, seconded by Commissioner Carter, to authorize a Sanitary Sewer Extension Contract with John W. Bizzack, single, Bizzack Family Limited Partnership, a Kentucky limited liability partnership, Frankfort, Kentucky. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). Abstaining from voting was Commissioner Bowers (1). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Carter that the following personnel actions be approved:

- Appointment of Kevin J. Meriwether to position of Tech II, effective 10-31-06 (Sanitation Department);
- Resignation of Edward A. Smith, effective 10-17-06, and authorize payment of all accrued leave as of effective date.

The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Citizen Comments

Terry Sutton questioned the appropriateness of allowing citizen comments when at previous special meetings citizen comments were not permitted. Following discussion, Mayor May stated citizen comments would not be allowed based on advice of counsel.

Commissioner Comments

Commissioner Carter commented on the Ghost Tour Walk; Frankfort Police Department volunteer Chaplains; Frankfort Citizens Police Academy; Civil Service Board Member Fred Troutman; City Christmas decorations; and awards recently awarded to the Frankfort/Franklin County Tourism Commission. Commissioner Bowers commented on a recent State Journal article, and work sessions and special meeting agendas.

It was moved by Commissioner Bowers, seconded by Commissioner Bryan, that the meeting adjourn. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted, and the meeting adjourned at 6.40 p.m.

Mayor

Attest:

City Clerk